

## STROOCK &amp; STROOCK &amp; LAVAN LLP

180 MAIDEN LANE  
NEW YORK, NY 10038-4982

VOICE: (212) 806-5400 FAX: (212) 806-6006

Date: June 7, 2000

FROM:	Patricia Driscoll	ROOM NO.:	3617	
SENDER'S PHONE:	(212) 806-6006	ATTY NO.:	1778	
SENDER'S E-MAIL:	phorras@stroock.com	CL/MAT NO.:	448563/163	
CLIENT/MATTER NAME:				
TOTAL NO. OF PAGES:	16			
<i>PLEASE DELIVER AS SOON AS POSSIBLE TO:</i>				
	<u>Recipient</u>	<u>Company/Address</u>	<u>Fax No.</u>	<u>Phone No.</u>
1.	Carol Barnes	Missing Parts	703-306-4003	

**COMMENTS:**

RE: Appln. Serial No. 09/312,073

Dear Ms. Barnes:

Pursuant to a conversation I had with you earlier today, attached is a copy of the Notice of Abandonment, the postcard stamped by the mailroom on 8/9/99 with the first class mail stamp; Communication Filing Signed Declaration and executed Declaration. This should meet all filing requirements. Please contact me at the number listed above if there are any questions or problems with the above file.

Sincerely,

Patricia Driscoll

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL, AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL NAMED ABOVE AND OTHERS WHO HAVE BEEN SPECIFICALLY AUTHORIZED TO RECEIVE SUCH. IF THE RECIPIENT IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF ANY PROBLEMS OCCUR WITH THIS TRANSMISSION, PLEASE NOTIFY US BY TELEPHONE AT (212) 806-6102/6166/6448.

2029 CENTURY PARK EAST  
LOS ANGELES, CA 90067  
PHONE 310-556-5800  
FAX 310-556-5959200 SOUTH BISCAYNE BLVD.  
MIAMI, FL 33131  
PHONE 305-358-9900  
FAX 305-789-93021150 SEVENTEENTH STREET, N.W.  
WASHINGTON, D.C. 20036  
PHONE 202-452-9250  
FAX 202-293-2293

**ABANDONMENT/TERMINATION  
LETTER**

\*OC000000005128853\*

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**Address: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/312,073	05/13/1999	MINORU USUI	448563/163

LAWRENCE ROSENTHAL  
STROOCK & STROOCK & LAVAN LLP  
180 MAIDEN LANE  
NEW YORK, NY 10038

Date Mailed: 05/19/2000

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/09/1999.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Docket No.  
448563/163  
LR:ph

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Minoru Usui et al.  
Serial No. : 09/312,073 Art Unit: 2853  
Filed : May 13, 1999  
For : INK CARTRIDGE FOR INK-JET PRINTING  
APPARATUS

August 5, 1999

**COMMUNICATION FILING SIGNED COPY OF DECLARATION  
IN RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
APPLICATION FILING DATE GRANTED AND SURCHARGE AUTHORIZATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attn: Box Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application Filing Date Granted, mailed June 9, 1999, a copy of which is annexed hereto, Applicant submits a Declaration executed by Minoru Usui, Satoshi Shinada, Takahiro Naka, Hisashi Miyazawa, Takeo Seino, Hisashi Koike, Takao Kobayashi, Masahiro Kanai, Yasuko Hirano, Yasushi Akatsuka, Takayuki Iijima, Noriaki Okazawa, Hitoshi Matsumoto and Yasuhiro Ogura.

Kindly enter the accompanying executed Declaration, which refers to the Application Serial No. 09/312,073, filed on May 13, 1999, in the application.

**Certificate of Mailing (37 C.F.R. 1.8)**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on (Date) August 5, 1999.

Typed or printed name of person signing this certificate:

Signature: Patricia Driscoll

The Commissioner is hereby authorized to charge the surcharge for filing the Declaration, authorized in the accompanying Fee Transmittal.

Applicant submits that the filing of the executed Declaration and payment of the surcharge which is authorized herein completes the filing requirements in connection with this application. If any issues remain which prevent the enclosed Declaration from being entered, it is requested that the undersigned attorney be notified in an effort to resolve such issues.

Early and favorable action in connection with this application is earnestly solicited.

Respectfully submitted,



---

Lawrence Rosenthal  
Registration No. 24,377  
Attorney for Applicant  
STROOCK & STROOCK & LAVAN LLP  
180 Maiden Lane  
New York, New York 10038  
(212) 806-5400

Seiko Epson Ref. No.: F004286US/TP

Attorney's Ref. No.:

## Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は、下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

インクジェット記録装置用インクカートリッジINK CARTRIDGE FOR INK-JET PRINTING APPARATUS

上記発明の明細書（下記の欄で×印がついていない場合は、本書に添付）は、

the specification of which is attached hereto unless the following box is checked:

☒ 1999年5月13日に提出され、米国出願番号または特許協定条約 国際出願番号を 09/312,073 とし、（該当する場合） \_\_\_\_\_ に訂正されました。☒ was filed on May 13, 1999 as United States Application Number or PCT International Application Number, 09/312,073 and was amended on \_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Page 1 of 11

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

## Japan se Language Declaration

(日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基づき下記の、米国以外の国の少なくとも1ヶ国を指定している特許協力条約365条(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

外国での先行出願

Priority Not Claimed

優先権主張なし

Hei. 10-130630	Japan	13/May/1998	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	
Hei. 10-130631	Japan	13/May/1998	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願年月日)	

私は、第35編米国法典119条(e)項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。

I hereby claim the benefit under Title 35, United States Code, Section 119 (e) of any United States provisional application(s) listed below.

(Application No.)	(Filing Date)	(Application No.)	(Filing Date)
(出願番号)	(出願日)	(出願番号)	(出願日)

私は下記の米国法典第35編120条に基づいて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づき権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第37編1章56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365 (c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 35, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application:

(Application No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)
(出願番号)	(出願日)	(現況: 特許許可済、係属中、放棄済)
(Application No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)
(出願番号)	(出願日)	(現況: 特許許可済、係属中、放棄済)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私が入手した情報と私の信じることに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の表明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## Japanese Language Declaration

## (日本語宣言書)

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## Prior Foreign Application(s)

外国での先行出願

Hei. 10-131483	Japan	14/May/1998
(Number)	(Country)	(Day/Month/Year Filed)
(番号)	(国名)	(出願年月日)
Hei. 10-175340	Japan	09/June/1998
(Number)	(Country)	(Day/Month/Year Filed)
(番号)	(国名)	(出願年月日)

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(Application No.)	(Filing Date)
(出願番号)	(出願日)

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(Application No.)	(Filing Date)
(出願番号)	(出願日)

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(出願番号)	(出願日)

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## Priority Not Claimed

優先権主張なし



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(Application No.)	(Filing Date)
(出願番号)	(出願日)

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(Status: Patented, Pending, Abandoned)  
(現況: 特許許可済、係属中、放棄済)

(Status: Patented, Pending, Abandoned)  
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Prior Foreign Application(s)

外国での先行出願

Priority Not Claimed

優先権主張なし

Hei. 11-22036	Japan	29/January/1999
(Number)	(Country)	(Day/Month/Year Filed)
(番号)	(国名)	(出願年月日)
Hei. 11-23300	Japan	29/January/1999
(Number)	(Country)	(Day/Month/Year Filed)
(番号)	(国名)	(出願年月日)

☐☐

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(出願番号)	(出願日)	(出願番号)	(出願日)

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(Application No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)
(出願番号)	(出願日)	(現況: 特許許可済、係属中、放棄済)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to collection of information unless it displays a valid OMB control number.

## Japan se Languag Declarati n (日本語宣言書)

委任状: 私は、下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。(弁理士、または代理人の氏名及び登録番号を明記のこと)

Lawrence Rosenthal (Reg. 24,377)  
Steven B. Pokotilow (Reg. 26,405)  
Howard M. Gitten (Reg. 32,138)  
Matthew W. Siegal, (Reg. 32,941)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Lawrence Rosenthal (Reg. 24,377)  
Steven B. Pokotilow (Reg. 26,405)  
Howard M. Gitten (Reg. 32,138)  
Matthew W. Siegal. (Reg. 32,941)

**書類送付先:**

STROOCK & STROOCK & LAVAN LLP  
180 Maiden Lane  
New York, NY 10038-4982

**Send Correspondence to:**

STROOCK & STROOCK & LAVAN LLP  
180 Maiden Lane  
New York, NY 10038-4982

**直接電話連絡先: (名前及び電話番号)**

STROOCK & STROOCK & LAVAN LLP  
(212) 806-5400

**Direct Telephone Calls to: (name and telephone number)**

STROOCK & STROOCK & LAVAN LLP  
(212) 806-5400

**唯一または第一発明者名**

雄井 聡

**Full name of sole or first inventor**

Minoru USUI

**発明者の署名**

雄井 聡

日付

1999年7月23日

**Inventor's signature**

Minoru Usui

Date

July 23, 1999

**住所**

日本国、長野県

**Residence**

Nagano, Japan

**国籍**

日本

**Citizenship**

Japan

**私書箱**

392-8502 日本国長野県諏訪市大和3丁目3番6号  
セイコーエプソン株式会社内

**Post Office Address**

c/o Seiko Epson Corporation  
3-5, Owa 3-chome, Suwa-shi, Nagano-ken 392-8502 Japan

**第二共同発明者**

品田 聡

**Full name of second joint inventor, if any**

Satoshi SHINADA

**第二共同発明者の署名**

品田 聡

日付

1999年7月23日

**Second inventor's signature**

Satoshi Shinada

Date

July 23, 1999

**住所**

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## Japanese Language Declaration

(日本語宣言書)

委任状: 私は、下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。(弁理士、または代理人の氏名及び登録番号を明記のこと)

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